

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Pending before the Court is the Report and Recommendation of United States Magistrate Judge Peggy A. Leen, (ECF No. 9), which states that Plaintiff Peyton H. Hemingway's Complaint, (ECF No. 1-1), should be dismissed for failure to state a claim.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003). Here, no objections were filed, and the deadline to do so has passed.

Accordingly,

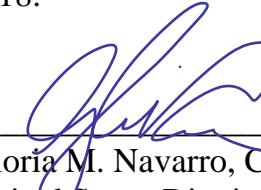
IT IS HEREBY ORDERED that the Report and Recommendation, (ECF No. 9), is **ACCEPTED and ADOPTED in full.**

1 **IT IS FURTHER ORDERED** that this action is dismissed with prejudice.

2 The Clerk of Court is instructed to close the case.

3

4 **DATED** this 14 day of February, 2018.

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6 Gloria M. Navarro, Chief Judge
7 United States District Judge